

REMARKS/ARGUMENTS

Claims 14 and 21-24 have been cancelled rendering the first ground of rejection under 35 U.S.C. 112, moot.

In the Office Action of July 10, 2007, claims 11, 12, 14, 16, 17, 19, 21, 23 and 25-27 were rejected under 35 U.S.C. 103(a) as unpatentable over Faeber et al (US Pat 3,037,557) in view of Atkins (US Pat 1,120,432). This ground of rejection is courteously traversed as it applies to the claims now presented for further examination.

Rejected claims 11-12, 14, 19, 21, 23 and 25-27 have been canceled. The claims now presented for examination are claims 16-18.

Independent claim 16 has been substantially amended without the introduction of any new matter. The language "...two angularly distanced slidable sealing elements....." has been amended to read

".....said two slidable sealing elements extending radially from said second fixed cylindrical shaped tubular body and adapted for slidably engaging with said interior surface of said first cylindrical shaped tubular body to define at least one suction chamber between said first and second cylindrical tubular bodies,....."

Specific support for this limitation is readily observed particularly from Figs. 3 and 4, and the text of the application which discusses in detail at several locations "radial boards" 7, and their structural features.

The Office Action identifies in Faeber et al "sliding sealing elements as 32, 33, 34 and 39." According to Faeber et al structure 32 is a seal frame which holds parallel positioned seals 39, best illustrated in Figs. 3-4. Structures 33 and 34 of Faeber et al, also mentioned in the Office Action, are referred to by Faeber et al as "guides" that are beveled to lock against seal frame 32 (see Fig. 5) .

Fig. 3 of Faeber et al, best illustrates the parallel positioned seals 39. It is also apparent from Fig. 3 of Faeber et al that seals 39 do not follow the course of the radius of inner cylinder 19.

Importantly, and significantly, Faeber et al is not a teaching reference and is totally lacking in written description relative to the concept of slidable sealing elements 39 or any of the supporting hardware as extending radially from the central/radius of the

stationary drum. In fact, the drawings of Faeber et al fail to present seal strips 39 even remotely resembling **radial extensions**.

In making such a determination it is Office policy to give the prior art the **broadest reasonable interpretation**. In this regard, the Examiner is over reaching in his conclusions and interpretation of Faeber et al, especially placing a high degree of reliance on drawings alone that fail to teach sealing strips (39) radially positioned. The written description of Faeber et al likewise fails to provide a teaching of radial strips.

In other words, Faeber et al is viewed as a **non-enabling disclosure relative to radially positioned sealing strips**.

It is also apparent from Atkins that block s is comprised of a plurality of parallel wires or felts, and not radially positioned slidable sealing elements.

Neither Faeber et al, nor Atkins teach the concept of radially positioned, slidable sealing elements positioned to engage with the inner surface of the first cylindrical tubular body.

Accordingly, reconsideration and withdrawal of the rejection of claims 16-17 as unpatentable over Faeber et al in view of Atkins are courteously requested.

In the Office Action of July 10, 2007, claims 18, 20, 22 and 24 were rejected under 35 U.S.C. 103(a) as unpatentable over Faeber et al in view of Atkins as applied to claims 17, 19, 21 and 23, and further in view of Applicant's own specification Paragraphs numbered [0003] through [0008]. This ground of rejection is courteously traversed.

Claims 20, 22 and 24 have been cancelled. Claim 18 is dependent from claims 17 and independent claim 16, and therefore, rejected claim 18 also includes all the limitations of amended claim 16.

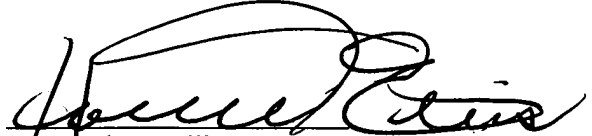
Contrary to the Office Action, the background portion of Applicant's own specification fails to provide any specific information relative to the radial slidable sealing elements of dependent claim 18 which includes the limitations of independent claim 16. Hence, claim 18, contrary to the Office Action is **non-obvious** even when combining the teachings of Faeber et al, Atkins and those portions of Applicant's own specification relating to what is known in the art.

Accordingly, reconsideration and withdrawal of the rejection of claim 18 is courteously requested.

In view of the amendments to the claims and the foregoing remarks distinguishing over the references of record, this application is now in condition for allowance, and notification of the same at an early date is earnestly solicited.

January 10, 2008

Respectfully submitted

A handwritten signature in dark ink, appearing to read "Howard M. Ellis", written over a horizontal line.

Howard M. Ellis
Attorney for Applicant
Reg. # 25,856
(716) 626-1564